

APPENDIX

CONFLICT OF INTEREST CODE OF THE PADRE DAM MUNICIPAL WATER DISTRICT (Amended November 23, 2004)

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the District's Code, but are subject to the disclosure requirements of the Act. (Government Code Section 87200 et seq.). [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments³:

Members of the Board of Directors

General Manager

Director of Finance

Financial Consultants

³

Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Accounting Supervisor	4, 5
Communications Coordinator	6
Communications Manager	6
Construction Field Superintendent	6
Construction Inspection Supervisor	2, 3, 6
Cost Center Managers	6
Director of Engineering and Planning	2, 3, 6
Director of Human Resources	6
Director of Operations and Water Quality	6
Employee Involvement Team	2, 5
Engineering Supervisor	2, 3, 6
General Counsel	1, 2
Information Systems Manager	6
Operations Superintendent	6
Park and Recreation Manager	6
Plant Superintendent	6
Right-of-Way Agent	2, 6
Safety and Risk Manager	6
Warehouse Specialist	5

DESIGNATED EMPLOYEES'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Consultant⁴

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Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The General Manager may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

EXHIBIT "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the Designated Employee must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in business entities, and sources of income, that are located in, do business in, or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's Department.

RESOLUTION 2004-38

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE PADRE DAM MUNICIPAL WATER DISTRICT
AMENDING THE APPENDIX OF THE CONFLICT
OF INTEREST CODE PURSUANT TO THE
POLITICAL REFORM ACT OF 1974

WHEREAS, the Legislature of the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the Padre Dam Municipal Water District (the "District"), and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the Board of Directors adopted a Conflict of Interest Code (the "Code") which was amended on November 12, 2002, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the District have made it advisable and necessary, pursuant to Sections 87306 and 87307 of the Act, to amend and update the Appendix of the District's Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the District being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting to be held on November 23, 2004 at 3:30 p.m. for consideration by the Board of Directors of the proposed amended Appendix was provided each designated employee and publicly posted for review at the offices of the District; and

WHEREAS, a public meeting was held upon the proposed amended Appendix at a regular meeting of the Board of Directors on November 23, 2004, at which all present were given the opportunity to be heard on the proposed amended Appendix of the Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Padre Dam Municipal Water District that the Board of Directors does hereby adopt the proposed amended Appendix of the Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the District's Board Secretary with a complete copy of the District's Conflict of Interest Code and available for inspection to the public.

BE IT FURTHER RESOLVED that the said amended Appendix of the Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of San Diego for approval and said amended Appendix shall become effective 30-days after the Board of Supervisors approves the proposed amended Appendix as submitted.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Padre Dam Municipal Water District held on the 23rd day of November, 2004, by the following vote, to wit:

AYES: Anderson, Boswell, Dixon, Menshek, Scalzitti
NOES: None
ABSENT: None

ATTEST:

Amy Redburn
Secretary



Jesse Dixon
President

LEGISLATIVE VERSION
(SHOWING CHANGES MADE)
APPENDIX

CONFLICT OF INTEREST CODE
OF THE
PADRE DAM MUNICIPAL WATER DISTRICT
(Amended November ~~12, 2002~~ 23, 2004)

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<u>Construction Field Superintendent</u>	<u>6</u>
<u>Construction Inspection Supervisor</u>	<u>2, 3, 6</u>
Cost Center Managers	6
Director of Engineering and Planning	2, 3, 6
Director of Human Resources	6
Director of Operations and Water Quality	6
Employee Involvement Team	2, 5
<u>Engineering Supervisor</u>	<u>2, 3, 6</u>
General Counsel	1, 2
<u>Information Systems Manager</u>	<u>6</u>
<u>Operations Superintendent</u>	<u>6</u>
Park and Campground <u>Recreation</u> Manager	6
<u>Plant Superintendent</u>	<u>6</u>
Public Affairs <u>Communications</u> Coordinator	6
Public Affairs <u>Communications</u> Manager	6
<u>Right-of-Way Agent</u>	<u>2, 6</u>
Safety and Risk Manager	6
<u>Warehouse Specialist</u>	<u>5</u>

DESIGNATED EMPLOYEES'
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Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District, ~~plan to engage in such activities within the jurisdiction of the District within the next year, or have engaged in such activities within the jurisdiction of the District within the past two (2) years.~~

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

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